



RECEIVED  
AUG 05 2003  
TC 1700

PATENT  
Attorney Docket No. 5770.04  
Express Mail Label No. EV 156 968 977 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Paul J. CORNAY

Examiner: C. Cooley

Appl. No. 09/707,430

Art Unit: 1723

Filed: 6 November 2000

For: CONCENTRIC TUBULAR CENTRIFUGE

**RESPONSE TO OFFICE ACTION**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Response is filed in response to the Office action mailed 29 May 2003, setting a shortened statutory period for response expiring on 29 August 2003. The Applicant respectfully requests the Examiner consider the following remarks.

**REMARKS**

The Applicant notes with appreciation the Examiner's allowance of claims 4-6 and 14.

**Double Patenting Rejection**

The Examiner rejected claims 13, 15, and 16 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 6, 11, and 12 of U.S. Patent No. 5,944,648 to Cornay. The Examiner further provisionally rejected claims 15 and 16 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 10 of co-pending application serial no. 09/828,296. In response thereto, two terminal disclaimers are submitted herewith. It is respectfully submitted that these terminal